

Fill in this information to identify the case:

United States Bankruptcy Court for the:

WESTERN

District of TEXAS

(State)

Case number (If known): Chapter 11

☐ Check if this is an amended filing**Official Form 205****Involuntary Petition Against a Non-Individual**

12/15

Use this form to begin a bankruptcy case against a non-individual you allege to be a debtor subject to an involuntary case. If you want to begin a case against an individual, use the *Involuntary Petition Against an Individual* (Official Form 105). Be as complete and accurate as possible. If more space is needed, attach any additional sheets to this form. On the top of any additional pages, write debtor's name and case number (if known).

Part 1: Identify the Chapter of the Bankruptcy Code Under Which Petition Is Filed**1. Chapter of the Bankruptcy Code**

Check one:

☐ Chapter 7☒ Chapter 11**Part 2: Identify the Debtor****2. Debtor's name**

3443 Zen Garden, LP

3. Other names you know the debtor has used in the last 8 years

Include any assumed names, trade names, or doing business as names.

4. Debtor's federal Employer Identification Number (EIN)☐ Unknown

3 2 - 0 5 0 1 2 1 1
EIN

5. Debtor's address**Principal place of business**

3443 Ed Bluestein Blvd.

Number Street

Austin TX 78721
City State ZIP Code

Travis County, Texas
County

Mailing address, if different

c/o Rob Roy Parnell
251 McKellar Road

Number Street

P.O. Box

Dripping Springs TX 78620
City State ZIP Code

Location of principal assets, if different from principal place of business

Number Street

City State ZIP Code

3443 Zen Garden, LP

Debtor Name Case number (if known) _____

6. Debtor's website (URL) _____

7. Type of debtor

- ☐ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))
- ☒ Partnership (excluding LLP)
- ☐ Other type of debtor. Specify: _____

8. Type of debtor's business

Check one:

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
- ☒ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
- ☐ Railroad (as defined in 11 U.S.C. § 101(44))
- ☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))
- ☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
- ☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))
- ☐ None of the types of business listed.
- ☐ Unknown type of business.

9. To the best of your knowledge, are any bankruptcy cases pending by or against any partner or affiliate of this debtor?

- ☒ No
- ☐ Yes. Debtor _____ Relationship _____
- District _____ Date filed _____ Case number, if known _____
- MM / DD / YYYY
- Debtor _____ Relationship _____
- District _____ Date filed _____ Case number, if known _____
- MM / DD / YYYY

Part 3: Report About the Case

10. Venue

Check one:

- ☒ Over the last 180 days before the filing of this bankruptcy, the debtor had a domicile, principal place of business, or principal assets in this district longer than in any other district.
- ☐ A bankruptcy case concerning debtor's affiliates, general partner, or partnership is pending in this district.

11. Allegations

Each petitioner is eligible to file this petition under 11 U.S.C. § 303(b).

The debtor may be the subject of an involuntary case under 11 U.S.C. § 303(a).

At least one box must be checked:

- ☒ The debtor is generally not paying its debts as they become due, unless they are the subject of a bona fide dispute as to liability or amount.
- ☒ Within 120 days before the filing of this petition, a custodian, other than a trustee, receiver, or an agent appointed or authorized to take charge of less than substantially all of the property of the debtor for the purpose of enforcing a lien against such property, was appointed or took possession.

12. Has there been a transfer of any claim against the debtor by or to any petitioner?

- ☒ No
- ☐ Yes. Attach all documents that evidence the transfer and any statements required under Bankruptcy Rule 1003(a).

Debtor 3443 Zen Garden, LP Case number (if known) _____
 Name _____

13. Each petitioner's claim	Name of petitioner	Nature of petitioner's claim	Amount of the claim above the value of any lien
	<u>Lyle America, Inc. d/b/a Glass.com of Illinois</u>	<u>Good & Services Provided</u>	<u>\$ 442,600</u>
	<u>Austin Glass & Mirror, Inc.</u>	<u>Good & Services Provided</u>	<u>\$ 686,374.14</u>
	<u>ACM Services, LLC</u>	<u>Goods & Services Provided</u>	<u>\$ 401,520.90</u>
	Total of petitioners' claims		<u>\$ 1,530,495.04</u>

If more space is needed to list petitioners, attach additional sheets. Write the alleged debtor's name and the case number, if known, at the top of each sheet. Following the format of this form, set out the information required in Parts 3 and 4 of the form for each additional petitioning creditor, the petitioner's claim, the petitioner's representative, and the petitioner's attorney. Include the statement under penalty of perjury set out in Part 4 of the form, followed by each additional petitioner's (or representative's) signature, along with the signature of the petitioner's attorney.

Part 4: Request for Relief

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

Petitioners request that an order for relief be entered against the debtor under the chapter of 11 U.S.C. specified in this petition. If a petitioning creditor is a corporation, attach the corporate ownership statement required by Bankruptcy Rule 1010(b). If any petitioner is a foreign representative appointed in a foreign proceeding, attach a certified copy of the order of the court granting recognition.

I have examined the information in this document and have a reasonable belief that the information is true and correct.

Petitioners or Petitioners' Representative

Name and mailing address of petitioner

Lyle America, Inc. d/b/a Glass.com of Illinois
 Name
910 N. Riverside Drive, Unit 4
 Number Street
Elmhurst Illinois 60126
 City State ZIP Code

Name and mailing address of petitioner's representative, if any

Lyle Richard Hill
 Name
910 N. Riverside, Unit 4
 Number Street
Elmhurst Illinois 60126
 City State ZIP Code

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 3/19/2020
 MM / DD / YYYY

Lyle Richard Hill, President
 Signature of petitioner or representative, including representative's title

Attorneys

Kell C. Mercer
 Printed name
Kell C. Mercer, PC
 Firm name, if any
1602 E. Cesar Chavez Street
 Number Street
Austin TX 78702
 City State ZIP Code
 Contact phone (512) 627-3512 Email kell.mercer@mercerc-law-pc.com
 Bar number 24007668
 State TX

X

Signature of attorney

3/22/2020
 Date signed
 MM / DD / YYYY

Debtor 3443 Zen Garden, LP
Name

Case number (if known) _____

Name and mailing address of petitioner

Austin Glass & Mirror, Inc.
Name
6308 Decker Lane
Number Street
Austin TX 78724
City State ZIP Code

Name and mailing address of petitioner's representative, if any

Don E. Bayer
Name
6308 Decker Lane
Number Street
Austin TX 78724
City State ZIP Code

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 03/19/2020
MM / DD / YYYY

X Don E. Bayer, President
Signature of petitioner or representative, including representative's title

Kell C. Mercer
Printed name
Kell C. Mercer, PC
Firm name, if any

1602 E. Cesar Chavez Street
Number Street
Austin TX 78702
City State ZIP Code

Contact phone (512) 627-3512 Email kell.mercer@mercerc-law-pc.com

Bar number 24007668

State TX

X Kell C. Mercer

Signature of attorney

Date signed 3/22/2020
MM / DD / YYYY

Name and mailing address of petitioner

ACM Services LLC
Name
3280 FM 112
Number Street
Taylor TX 76574
City State ZIP Code

Name and mailing address of petitioner's representative, if any

James Morris
Name
3280 FM 112
Number Street
Taylor TX 76574
City State ZIP Code

I declare under penalty of perjury that the foregoing is true and correct.

Executed on _____
MM / DD / YYYY

X _____, President
Signature of petitioner or representative, including representative's title

Kell C. Mercer
Printed name
Kell C. Mercer, PC
Firm name, if any

1602 E. Cesar Chavez Street
Number Street
Austin TX 78702
City State ZIP Code

Contact phone (512) 767-3214 Email kell.mercer@mercerc-law-pc.com

Bar number 24007668

State TX

X _____

Signature of attorney

Date signed _____
MM / DD / YYYY

Debtor 3443 Zen Garden, LP

Case number (if known) _____

Name and mailing address of petitionerAustin Glass & Mirror, Inc.

Name _____

6308 Decker Lane

Number Street _____

Austin TX 78724

City State ZIP Code _____

Name and mailing address of petitioner's representative, if anyDon E. Bayer

Name _____

6308 Decker Lane

Number Street _____

Austin TX 78724

City State ZIP Code _____

I declare under penalty of perjury that the foregoing is true and correct.

Executed on _____
MM / DD / YYYY**X**

_____, President

Signature of petitioner or representative, including representative's title

Kell C. Mercer

Printed name _____

Kell C. Mercer, PC

Firm name, if any _____

1602 E. Cesar Chavez Street

Number Street _____

Austin TX 78702

City State ZIP Code _____

Contact phone (512) 627-3512 Email kell.mercer@mercerc-law-pc.comBar number 24007668State TX**X**

Signature of attorney _____

Date signed _____
MM / DD / YYYY**Name and mailing address of petitioner**ACM Services LLC

Name _____

3280 FM 112

Number Street _____

Taylor TX 76574

City State ZIP Code _____

Name and mailing address of petitioner's representative, if anyJames Morris

Name _____

3280 FM 112

Number Street _____

Taylor TX 76574

City State ZIP Code _____

I declare under penalty of perjury that the foregoing is true and correct.

Executed on _____
MM / DD / YYYY**X**

_____, President

Signature of petitioner or representative, including representative's title

Kell C. Mercer

Printed name _____

Kell C. Mercer, PC

Firm name, if any _____

1602 E. Cesar Chavez Street

Number Street _____

Austin TX 78702

City State ZIP Code _____

Contact phone (512) 767-3214 Email kell.mercer@mercerc-law-pc.comBar number 24007668State TX**X**

Signature of attorney _____

Date signed 3/22/2020
MM / DD / YYYY